

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 19, 2002**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Moore, Acting P.J., Aronson, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CIVIL JEFFREY E. MORRISON et al.
No. v.
G028285 HAIGHT BROWN & BONESTEEL et al.

Merits. Cause called. John K. Saur waived oral argument this morning. Roy Weatherup argues for respondent Haight Brown & Bonesteel. Douglas J. Collodel argues for respondents Rudolph Law Group and George C. Rudolph. Cause submitted.

CIVIL SPIEKER PROPERTIES, L.P.
No. v.
G029277 BARBARA BUNTE

Merits. Cause called. Fred S. Pardes argues for appellant. Thomas Aplin argues for respondent. Cause submitted.

CIVIL DAVID A. BELSHE
No. v.
G029016 DAVE LEESE CONCRETE PLUMBING & FINISHING et al.

Merits. Cause called. Richard H. Geringer argues for appellant. Mark L. Kincaid argues for respondents. Cause submitted.

CIVIL DONALD R. NUSS
No. v.
G029282 MARBELLA COUNTRY CLUB, INC., et al.

Merits. Cause called. William K. Vogeler argues for appellant. Robert S. Beall argues for respondents. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 19, 2002 (Cont'd)**

CIVIL GARY P. ENDRES
No. v.
G028583 MELLON TRUST OF CALIFORNIA

Merits. Cause called. George McGill argues for appellant. Ricky L. Shackelford argues for respondent. Cause submitted.

CIVIL HEAD & ENGQUIST EQUIPMENT LLC
No. v.
G029551 VEGA TRANSMISSIONS, INC.

Merits. Cause called. Stuart G. Steingraber argues for appellant. Mark A. Nelson argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 19, 2002 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., O'Leary, J., Moore, J., Aronson, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CIVIL KERRY COOPER
No. v.
G028318 ISRAEL CHAMBI

Merits. Cause called. Wendy S. Albers argues for appellant. Thomas D. Rowley argues for respondent. Cause submitted.

CIVIL JEFFREY J. KATKE et al.
No. v.
G027304 SEARS MORTGAGE CORPORATION et al.
G029054

Merits. Cause called. Danforth F. Lincoln argues for appellants. Steven K. Linkon argues for respondents Sears Mortgage Corporation and Robert Sturgeon. Neal C. Swensen argues for respondent Lawrence Randolph. Frank Punelli, Jr. argues for respondents Caldwell Banker and James Miranda. Cause submitted.

CIVIL CONKLE & OLESTEN PROFESSIONAL LAW CORPORATION
No. v.
G028844 GOODRICH, GOODYEAR & HINDS

Merits. Cause called. Eric S. Engel argues for appellant. Phillip K. Fife argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 20, 2002**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are O’Leary, Acting P.J., Moore, J., and Fybel, J. A. Cajigal, Deputy Clerk attending.

CRIM THE PEOPLE
No. v.
G029163 JOHN D. RHOADS

Merits. Cause called. Jonathan Milberg argues for appellant. Emily Murphy, certified law student argues for respondent. Matthew Mulford, supervising Deputy Attorney General for the certified law student is present. Cause submitted.

CRIM THE PEOPLE
No. v.
G029286 GABRIEL H.

Merits. Cause called. Betty A. Haight argues for appellant. Robin Derman, certified law student argues for respondent. Matthew Mulford, supervising Deputy Attorney General for the certified law student is present. Cause submitted.

CRIM THE PEOPLE
No. v.
G028678 MANFRE SANDOVAL et al.

Merits. Cause called. Michael I. Garey argues for appellant Manfre Sandoval. Michael R. Totaro waived oral argument for appellant Consuelo Espinoza. Kristine Gutierrez, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE
No. v.
G029060 ELIO L. HARRISON

Merits. Cause called. Fay Arfa argues for appellant. Teresa Torreblanca, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 20, 2002 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., Bedsworth, J., Moore, J., and Aronson, J. A. Cajigal, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G028676	JESSE GARCIA ISAIS

Merits. Cause called. Betty A. Haight argues for appellant. Teresa Torreblanca, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G028823	JAMES G. REEVES

Merits. Cause called. David Delgado-Rucci, Deputy Attorney General argues for appellant. David K. Rankin argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G029236	PAUL RAMIREZ et al.

Merits. Cause called. Marilee Marshall argues for appellant Paul Junior Ramirez and Conrad Petermann argues for appellant Matthew Sandoval. Garrett Beaumont, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G029409	JASON MICHAEL MALFAVON

Merits. Cause called. Russell S. Babcock argues for appellant. Garrett Beaumont, Deputy Attorney General argues for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 20, 2002 (cont'd)**

CRIM	THE PEOPLE
No.	v.
G029614	JOSE LUIS LANDEROS SOTO

Merits. Cause called. James M. Crawford argues for appellant. Peter Quon, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G029362	EDWARD VILLELA MEDINA

Merits. Cause called. James M. Crawford argues for appellant. David Delgado-Rucci argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 20, 2002 (cont'd)**

CRIM	THE PEOPLE	Not for publication
No.	v.	
G029918	CANDELARIO LOPEZ, JR.	

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: O'Leary, J.
Fybel, J.

CIVIL	ROSA S.	Certified for publication
No.	v.	
G030556	THE SUPERIOR COURT OF ORANGE COUNTY; ORANGE COUNTY SOCIAL SERVICES AGENCY	

Order filed modifying opinion; no change in judgment.

O'Leary, J.

We concur: Sills, P.J.
Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 21, 2002**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., Bedsworth, J., and O'Leary, J. M. Urena, Deputy Clerk attending.

CIVIL ORANGE COUNTY SOCIAL SERVICES AGENCY
No. v.
G030055 VIRGINIA V. et al.

Merits. Cause called. Kathleen M. Mallinger argues for appellant Virginia V. Marsha F. Levine argues for appellant Tue V. Mark R. Howe, Deputy County Counsel argues for respondent. Stephen S. Buckley argues for the minor. Cause submitted.

CIVIL AARON WIENER et al.
No. v.
G028814 SOUTHCOAST CHILDCARE CENTERS INC., et al.

Merits. Cause called. Evan Ginsburg argues for appellants Aaron Wiener and Pamela Wiener. Daniel H. Cargnelutti argues for appellants Eric Soto and Cindy Soto. Mona J. Jeffrey argues for respondents Southcoast Early Childhood Learning Center and Southcoast Childcare Centers Inc. John P. McKay argues for respondents First Baptist Church of Costa Mesa and Lighthouse Coastal Community Church. Mona J. Jeffrey to file a letter brief by August 28, 2002 by 4:00 p.m. Appellants may respond by September 6, 2002 by 4:00 p.m. Cause to be submitted on September 6, 2002.

CIVIL CUSTOM COASTERS INTERNATIONAL, INC.
No. v.
G028307 R.E. COULTER CRANE & RIGGING INC.

Merits. Cause called. Brian E. Claypool argues for appellant. Robert J. Wheeler argues for respondent. Respondent to file a letter brief by August 28, 2002 by 4:00 p.m. Appellant may respond by September 6, 2002 by 4:00 p.m. Cause to be submitted on September 6, 2002.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 21, 2002 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., O'Leary, J., Aronson, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CRIM THE PEOPLE
No. v.
G024042 SALVADOR MARTINEZ
G030316

Merits. Cause called. Cindi B. Mishkin argues for appellant and petitioner. Elizabeth Voorhies, Deputy Attorney General argues for respondent and real party in interest. Cause submitted.

CIVIL VIRGINIA HOVIS
No. v.
G028981 STATE OF CALIFORNIA,
DEPARTMENT OF TRANSPORTATION

Merits. Cause called. James D. Norris argues for appellant. Richard D. Heinrich argues for respondent. Cause submitted.

CIVIL SCOTT LEE et al.
No. v.
G028094 RICHARD C. SMITH.

Merits. Cause called. Robert F. Zwierlein argues for appellants. Donna Bader argues for respondent. Cause submitted.

CIVIL CITY SERVICE CONTRACTING, INC.
No. v.
G027827 OLEN PROPERTIES CORP. et al.

Merits. Cause called. Wendy W. Huang argues for appellants. Raymond T. Kaiser argues for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 21, 2002 (Cont'd)**

CIVIL MICHELLE L. LOCKE
No. v.
G029074 FRANK C. RAYMER

Merits. Cause called. Barry M. Appell argues for appellant. Daniel J. Padova argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 21, 2002 (Cont'd)**

CRIM	THE PEOPLE	Not for publication
No.	v.	
G028004	FRANK LEE MADDEN	

Opinion filed. Judgment affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.
Bedsworth, J.

CRIM	THE PEOPLE	Not for publication
No.	v.	
G028722	MARTIN BLANCO TRUJILLO	

Opinion filed. Judgment affirmed.

By the Court

Before Sills, P.J., Rylaarsdam, J., and O'Leary, J.

CRIM	THE PEOPLE	Not for publication
No.	v.	
G029237	JESS ALEXANDER SALSMAN	

Opinion filed. Judgment affirmed.

By the Court

Before Sills, P.J., Rylaarsdam, J., and O'Leary, J.

CIVIL	TAMARA S.	Not for publication
No.	v.	
G030646	THE SUPERIOR COURT OF ORANGE COUNTY; ORANGE COUNTY SOCIAL SERVICES AGENCY	

Opinion filed. Petition denied.

Fybel, J.

We concur: Rylaarsdam, Acting P.J.
Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 22, 2002**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Bedsworth, Acting P.J., Aronson, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CIVIL JAMES MASSINGILL et al.
No. v.
G028308 STATE OF CALIFORNIA, DEPARTMENT OF FOOD AND
 AGRICULTURE, DIVISION OF MEASUREMENT STANDARDS et al.

Merits. Cause called. Sterling S. Winchell argues for appellants. William S. Abbey, Deputy Attorney General argues for respondents. Matter argued together with G030125. Cause submitted.

CIVIL JAMES MASSINGILL et al.
No. v.
G030125 STATE OF CALIFORNIA, DEPARTMENT OF FOOD AND
 AGRICULTURE, DIVISION OF MEASUREMENT STANDARDS et al.

Merits. Cause called. Sterling S. Winchell argues for appellants. William S. Abbey, Deputy Attorney General argues for respondents. Matter argued together with G028308. Cause submitted.

CIVIL ALBERT E. JOBE
No. v.
G027927 SHIRLEY JOBE

Merits. Cause called. Jeffrey W. Doeringer argues for appellant. Donna Bader argues for respondent. Respondent to file a letter brief by September 3, 2002. Appellant to file a letter brief by September 10, 2002. Cause to be submitted on September 10, 2002.

CIVIL ACME PETROLEUM, INC.
No. v.
G028901 JOHN DeWITT et al.

Merits. Cause called. Cynthia R. Maher argues for appellant. Gregory M. Salvato argues for respondents. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 22, 2002 (Cont'd)**

CIVIL SAMANTHA CAPIK
No. v.
G028626 ORANGE COUNTY SHERIFF'S DEPARTMENT

Merits. Cause called. Charles G. Smith argues for appellant. William L. Haluck argues for respondent. Cause submitted.

CIVIL SAN CLEMENTE BEACH COUNTRY CLUB et al.
No. v.
G028815 GOLDEN EAGLE INSURANCE CORP.

Merits. Cause called. Bruce I. Cornblum argues for appellants. Kelley K. Beck argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 22, 2002 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., O'Leary, J., and Aronson, J. M. Urena, Deputy Clerk attending.

CIVIL LANCE A. BREWER et al.
No. v.
G028840 PAUL M. CHRISTIANSEN et al.

Merits. Cause called. Appellant Merritt L. McKeon argues on her behalf and for Paul M. Christiansen. Templeton Briggs argues for respondents. Cause submitted.

CIVIL TRW, INC. et al.
No. v.
G028592 AMERICAN MONORAIL OF CALIFORNIA et al.

Merits. Cause called. Michael E. Williams argues for appellants. Bruce D. Celebrezze argues for respondent American Monorail of California. John M. Rygh argues for respondent Coletel Fab & Weld. Cause submitted.

CIVIL MICHAEL S. STRETTON III
No. v.
G028454 DIANE G. STRETTON

Merits. Cause called. Appellant waived oral argument before matter was called. No appearance made by respondents. Cause submitted.

CIVIL LAKE FOREST II MASTER HOMEOWNERS ASSOCIATION
No. v.
G027425 DIANE G. STRETTON

Merits. Cause called. Appellant Diane G. Stretton argues on her own behalf. Frederick T. Whitney made no argument for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 22, 2002 (Cont'd)**

CIVIL KATHRYN SMITH
No. v.
G028703 EDWIN A. MURADLIYAN et al.

Merits. Cause called. Robert M. Dato argues for appellant Throckmorton, Beckstrom, Oakes & Thomassian. Charles Barsam made no appearance for appellant Edwin A. Muradliyan. Michael W. Robinson argues for respondent. Cause submitted.

CIVIL LILLIAN WHITMER
No. v.
G027547 BOEING NORTH AMERICA INC., et al.
G027619

Merits. Cause called. Eva S. Halbreich argues for appellants. Joseph M. Lovretovich argues for respondent. Cause submitted.

CIVIL VICKI L. BARBER
No. v.
G028625 TRICOR FINANCIAL GROUP

Merits. Cause called. Frederick H. Alschuler argues for appellant. John S. Baker argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 22, 2002 (Cont'd)**

CRIM	THE PEOPLE	Not for publication
No.	v.	
G027584	RALPH SERRANO ANAYA	

Opinion filed. Judgment affirmed as modified.

Fybel, J.

We concur: O'Leary, Acting P.J.
Moore, J.

CIVIL	CLIFFORD WOOSLEY et al.	
No.	v.	
G028002	RODERICK P. BUSHNELL et al. (Consolidated with G028170 and G028821)	

Order filed. The previous order submitting this matter for decision is vacated. The matter will be submitted for decision on September 12, 2002. Respondents may file a letter brief on or before September 3, 2002. Appellants may file a letter brief on or before September 12, 2002.

Sills, P.J.

CIVIL	ORANGE COUNTY SOCIAL	Not for publication
No.	SERVICES AGENCY	
G030235	v. TAMMY C.; DOLORES M.	

Opinion filed. Order affirmed.

Fybel, J.

We concur: Sills, P.J.
Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 23, 2002**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., Bedsworth, J., O'Leary, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CIVIL SOUTHERN CALIFORNIA EDISON COMPANY
No. v.
G025948 TRANSPHASE SYSTEMS, INC.

Merits. Cause called. Douglas A. Ames argues for appellant and cross-respondent. Edmond M. Connor argues for respondent and cross-appellant. The court advised the parties to consider a settlement. Submission of the case will be deferred until September 23, 2002.

CIVIL NIGUEL SHORES COMMUNITY ASSOCIATION
No. v.
G028831 KRISTIN BUEHLER

Merits. Cause called. C. Mark Hopkins argues for appellant. Marc Ettinger argues for respondent. Cause submitted.

CIVIL DICK MILLER
No. v.
G026052 CSC ARTEMIS et al.

Merits. Cause called. Steven S. Davis argues for appellants. Dirk Bruinsma argues for respondent. Cause submitted.

CIVIL LESLIE HORVATH
No. v.
G028873 ELIZABETH A. HORVATH

Merits. Cause called. Appellant Leslie Horvath argues on his own behalf. Dean P. Schroeter argues for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 23, 2002 (Cont'd)**

CIVIL JAMES B. SHEA et al.
No. v.
G028955 HOUSEHOLD BANK etc.

Merits. Cause called. Christopher R. Lipsett argues for appellants. Brian R. Strange argues for respondents. Matter argued together with G029531. Cause submitted

CIVIL JAMES B. SHEA et al.
No. v.
G029531 HOUSEHOLD BANK etc.

Merits. Cause called. Christopher R. Lipsett argues for appellants. Brian R. Strange argues for respondents. Matter argued together with G028955. Cause submitted

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 23, 2002 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., and Bedsworth, J. M. Urena, Deputy Clerk attending.

CIVIL DONNA LANGHAUSER et al.
No. v.
G028827 PACIFIC BELL
G029284

Merits. Cause called. Paula M. Weber argues for appellant and respondent. Gerald N. Shelley argues for respondent and appellant. Cause submitted.

CIVIL CITY OF LA HABRA
No. v.
G027774 BILL BADI GAMMOH et al.
G026893

Merits. Cause called. Larry G. Noe argues for appellants. Deborah J. Fox argues for respondent. Cause submitted.

CIVIL VEDANTA SOCIETY OF SOUTHERN CALIFORNIA
No. v.
G027714 CALIFORNIA QUARTET, LTD et al.
G027834

Merits. Cause called. William D. Ross argues for appellant and cross-respondent. Robert K. Break argues for appellant County of Orange. Edmond M. Connor argues for respondent and cross-appellant. Cause submitted.

CIVIL CROW IRVINE #2
No. v.
G028611 WINTHROP CALIFORNIA INVESTORS LIMITED PARTNERSHIP
G029013

Merits. Cause called. Justice Sills disclosed to parties he was the mayor for the City of Irvine for three months and asked if they felt he should be recused. Parties to submit in writing their reasons for recusal. Matter has been continued to the September 2002 calendar.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 23, 2002 (Cont'd)**

CRIM No. G023714	THE PEOPLE v. BAU A. MOOC	Not for publication
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Opinion filed. Judgment affirmed as corrected.

Sills, P.J.

We concur: Rylaarsdam, J.
Bedsworth, J.

CIVIL No. G026723	GMP LABORATORIES OF AMERICA, INC. v. TURBO NUTRITION, INC.	Not for publication
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Opinion filed. Judgment reversed and remanded with directions.

Sills, P.J.

We concur: Bedsworth, J.
Aronson, J.

CRIM No. G028549	THE PEOPLE v. KEVIN R.	Not for publication
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Opinion filed. Order affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.
O'Leary, J.

CIVIL No. G028923	COUNTY OF ORANGE v. THOMAS ANTHONY LAWRENCE	Not for publication
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Opinion filed. Judgment affirmed as modified.

Sills, P.J.

We concur: Rylaarsdam, J.
Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
August 23, 2002 (Cont'd)**

CIVIL
No.
G030052

ORANGE COUNTY SOCIAL SERVICES
SERVICES
v.
LINDA R. et al.

Not for publication

Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Sills, P.J.
O'Leary, J.